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In re Application of :
Chikao Nishino et al. : DECISION
Appl. No. 09/672,146 : GRANTING
Filed September 28, 2000 : PETITION
Atty. Dock. No. IWA-126-USA-P :

This reissue application is before the Office of Patent Legal Administration for consideration of a renewed petition filed on September 11, 2002, under 37 CFR 1.175(b)(1). The petition is being considered as having been filed under 37 CFR 1.183, requesting waiver of the reissue application filing requirements of 37 CFR 1.172, that oaths/declarations in broadening reissue applications be signed by all of the inventors.

The petition is granted.

DECISION

An original petition for acceptance of a supplemental reissue declaration with less than all of the inventors' signatures was filed on July 9, 2002. The original petition was dismissed in the decision of August 14, 2002, as not providing a sufficient showing as to what efforts were made to obtain the signature of the non-signing inventor, Tomohiro Uetake.

The present renewed petition is accompanied by a "DECLARATION UNDER 37 CFR 1.47," of Soichiro Nishi, Manager of Patent Department, which sets out the various efforts that were made to contact the non-signing inventor and obtain his signature on the supplemental reissue declaration.

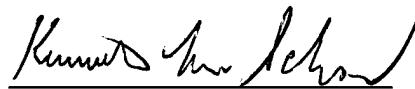
In view of the supporting Nishi declaration, the showing of conditions for establishing the need for invoking the extraordinary circumstances provision of 37 CFR 1.183 has been completed.

CONCLUSION

In view of the above, the petition is **granted**.

The application is being forwarded to Technology Center 1600 for continuation of prosecution not inconsistent with this decision.

Any question regarding this decision may be directed to Joseph Narcavage, Senior Special Projects Examiner, at (703) 305-1795.



Kenneth M. Schor
Senior Legal Advisor
Office of Patent Legal Administration